

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HOWARD IKE,

Plaintiff,

v.

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA,

Defendant.

CIVIL ACTION

NO. 23-4498-KSM

ORDER

AND NOW, this 15th day of April 2025, upon consideration of Plaintiff's motion to compel (Doc. No. 22), Defendant's response and motion for judgment on the pleadings (Doc. No. 23), and the parties' briefs in response to the motions (Doc. Nos. 24–26), and following oral argument on the motions (Doc. No. 32), it is **ORDERED** as follows:

1. Defendant's motion for judgment on the pleadings (Doc. No. 23) is **GRANTED** for the reasons set forth in the accompanying memorandum.
2. Plaintiff's motion to compel (Doc. No. 22) is **DENIED AS MOOT**.
3. Plaintiff's claims for breach of contract under Count I are **DISMISSED WITH PREJUDICE** because any amendment would be futile. Plaintiff's statutory bad faith claim under Count II is **DISMISSED WITHOUT PREJUDICE**.
4. If Plaintiff chooses to file an Amended Complaint and reallege Count II, he must file an Amended Complaint no later than **Friday, May 2, 2025**.

IT IS SO ORDERED.

/s/ Karen Spencer Marston
KAREN SPENCER MARSTON, J.